

# Exhibit B

CONTAINS CONFIDENTIAL PORTIONS

Page 379

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Guzman  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
-----x  
SANDRA GUZMAN,  
  
Plaintiff,  
  
vs. 90 Civ. 9323 (BSJ) (RLE)  
  
NEWS CORPORATION, NYP  
HOLDINGS, INC., d/b/a  
THE NEW YORK POST, and  
COL ALLAN, in his official  
and individual capacities,  
  
Defendants.  
-----x  
  
SANDRA GUZMAN  
New York, New York  
Monday, February 13, 2012  
CONTAINS CONFIDENTIAL PORTIONS

Reported by: Steven Neil Cohen, RPR  
Job No. 46187

## CONTAINS CONFIDENTIAL PORTIONS

<p style="text-align: right;">Page 380</p> <p>1 Guzman 2 February 13, 2012 3 10:16 a.m. 4 5 Continued Videotaped Deposition of 6 SANDRA GUZMAN, taken by Defendants, pursuant 7 to notice, at the offices of Kasowitz, 8 Benson, Friedman &amp; Torres LLP, 1633 9 Broadway, New York, New York, before Steven 10 Neil Cohen, a Registered Professional 11 Reporter and Notary Public of the State of 12 New York. 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	<p style="text-align: right;">Page 381</p> <p>1 Guzman 2 APPEARANCES 3 4 THOMPSON WIGDOR 5 85 Fifth Avenue 6 New York, New York 10003 7 Attorneys for Plaintiff 8 BY: KENNETH THOMPSON, ESQ. 9 SHAFFIN DATOO, ESQ. 10 PAUL CLARK, ESQ. 11 12 KASOWITZ BENSON TORRES &amp; FRIEDMAN 13 1633 Broadway 14 New York, New York 10019 15 Attorneys for Defendants 16 BY: MARK LERNER, ESQ. 17 GARRETT KENNEDY, ESQ. 18 BLYTHE LOVINGER, ESQ. 19 20 21 ALSO PRESENT: Jordan Lippner, Esq. 22 Carlos Lopez, Videographer 23 24 25</p>
<p style="text-align: right;">Page 382</p> <p>1 Guzman 2 3 IT IS HEREBY STIPULATED AND 4 AGREED, by and between counsel for the 5 respective parties hereto, that the sealing 6 and filing of the within deposition be 7 waived; that such deposition may be signed 8 and sworn to before any officer authorized 9 to administer an oath; that all objections, 10 except as to form are reserved to the time 11 of trial. 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	<p style="text-align: right;">Page 383</p> <p>1 Guzman 2 THE VIDEOGRAPHER: This is the 3 start of videotape number 1 of the 4 videotaped deposition of Sandra Guzman 5 in the matter Sandra Guzman versus News 6 Corp. 7 This deposition is being held at 8 1633 Broadway, New York, New York on 9 February 13, 2012 at approximately 10 10:16 a.m. 11 My name is Carlos Lopez from TSG 12 Reporting, Inc. and I am the legal video 13 specialist. 14 The court reporter is Steve Cohen 15 in association with TSG Reporting. 16 Will counsel please introduce 17 yourself for the record? 18 MR. THOMPSON: Kenneth Thompson, 19 Paul Clark, Shaffin Datto; Thompson 20 Wigdor for the plaintiff, Sandra Guzman. 21 MR. LERNER: For the defendants 22 Mark Lerner, Blythe Lovinger, Garrett 23 Kennedy of Kasowitz Benson Torres &amp; 24 Friedman and Jordan Lippner, in-house 25 counsel for the defendants.</p>

CONTAINS CONFIDENTIAL PORTIONS

Page 384	Page 385
<p>1 Guzman</p> <p>2 THE VIDEOGRAPHER: Will the court</p> <p>3 reporter please swear in the witness?</p> <p>4 SANDRA GUZMAN, called as a witness by the</p> <p>5 Defendants, having been duly sworn,</p> <p>6 testified as follows:</p> <p>7 MR. THOMPSON: Let the record</p> <p>8 reflect that this deposition was</p> <p>9 scheduled to begin at 10:00 a.m.</p> <p>10 We did not start at 10:00 a.m.</p> <p>11 despite the fact that Ms. Guzman was</p> <p>12 sitting and ready to begin because of</p> <p>13 opposing counsel. This deposition is</p> <p>14 starting almost 20 minutes after the</p> <p>15 start date.</p> <p>16 MR. LERNER: The record will also</p> <p>17 reflect if you look it up that the FDR</p> <p>18 Drive has been closed for two to three</p> <p>19 hours this morning due to a tractor</p> <p>20 trailer getting on the southbound FDR</p> <p>21 and getting stuck and created</p> <p>22 significant traffic problems in the</p> <p>23 city. I come from the north to get to</p> <p>24 the deposition. To get to the office so</p> <p>25 I was delayed some minutes by that. And</p>	<p>1 Guzman</p> <p>2 that is the reason so I apologize,</p> <p>3 Mr. Thompson, but that is the reason for</p> <p>4 the delay.</p> <p>5 EXAMINATION</p> <p>6 BY MR. LERNER:</p> <p>7 Q. Ms. Guzman, you testified in</p> <p>8 October that Les Goodstein told you you</p> <p>9 looked sexy and beautiful in the office,</p> <p>10 right?</p> <p>11 Do you remember that?</p> <p>12 A. Yes.</p> <p>13 Q. Where did he tell you you looked</p> <p>14 sexy and beautiful?</p> <p>15 A. When I saw him in the elevator.</p> <p>16 When I saw him in the News Corp.</p> <p>17 cafeteria on the third floor.</p> <p>18 And when I met with him in his</p> <p>19 office on the fifth floor.</p> <p>20 And any chance and any moment that</p> <p>21 I bump into him randomly in the building, he</p> <p>22 would comment.</p> <p>23 Q. All right.</p> <p>24 When was the first time he told</p> <p>25 you that you looked sexy and beautiful?</p>
Page 386	Page 387
<p>1 Guzman</p> <p>2 A. It was probably the second</p> <p>3 meeting. He commented --</p> <p>4 Q. Was that in his office?</p> <p>5 A. He commented on my dress and on my</p> <p>6 shoes and how beautiful I looked in them.</p> <p>7 Q. And what kind of dress, what was</p> <p>8 the dress you were wearing?</p> <p>9 A. Simple black dress.</p> <p>10 Q. What were your shoes?</p> <p>11 A. Black shoes.</p> <p>12 Q. And what was the location of that</p> <p>13 conversation?</p> <p>14 A. Elevator on the third floor.</p> <p>15 Q. And was that a chance meeting in</p> <p>16 the elevator or were the two of you going</p> <p>17 somewhere together?</p> <p>18 MR. THOMPSON: Objection.</p> <p>19 THE WITNESS: We were going to a</p> <p>20 meeting.</p> <p>21 BY MR. LERNER:</p> <p>22 Q. What meeting?</p> <p>23 A. A meeting that he called to</p> <p>24 discuss one of the sections that I worked</p> <p>25 on.</p>	<p>1 Guzman</p> <p>2 Q. And where were you going for that</p> <p>3 meeting?</p> <p>4 A. Third floor conference room.</p> <p>5 Q. Was Sami Marerro also in</p> <p>6 attendance at that meeting?</p> <p>7 A. Yes.</p> <p>8 Q. What about Tony Martinez?</p> <p>9 A. I don't remember if Tony was</p> <p>10 there.</p> <p>11 Q. And he told you that -- did he say</p> <p>12 that your dress looked -- what exactly was</p> <p>13 the word or words he used to describe your</p> <p>14 black dress on that occasion?</p> <p>15 A. You are looking beautiful and sexy</p> <p>16 today.</p> <p>17 Q. And was Ms. Marerro with the two</p> <p>18 of you in the elevator when he said that?</p> <p>19 A. No.</p> <p>20 Q. The two of you proceeded from the</p> <p>21 elevator to the third floor conference room</p> <p>22 and joined Ms. Marerro?</p> <p>23 A. Yes. We joined about 20 people</p> <p>24 from the sales staff.</p> <p>25 Q. And where did you get on the</p>

CONTAINS CONFIDENTIAL PORTIONS

Page 388	Page 389
<p>1 Guzman</p> <p>2 elevator?</p> <p>3 A. The ninth floor.</p> <p>4 Q. Do you know why -- withdrawn.</p> <p>5 Mr. Goodstein's office was not on</p> <p>6 the ninth floor of the building, right?</p> <p>7 A. No.</p> <p>8 Q. So do you know why it is that</p> <p>9 Mr. Goodstein and you got on the elevator at</p> <p>10 the ninth floor? If you understand the</p> <p>11 question why was Mr. Goodstein getting on</p> <p>12 the elevator with you on the ninth floor?</p> <p>13 MR. THOMPSON: Objection.</p> <p>14 THE WITNESS: I didn't say that he</p> <p>15 got on the elevator on the ninth floor.</p> <p>16 BY MR. LERNER:</p> <p>17 Q. Okay. So how did you -- were you</p> <p>18 already on the elevator when he got on?</p> <p>19 A. I told you this happened on the</p> <p>20 third floor elevator so I was going down.</p> <p>21 Q. To the third floor?</p> <p>22 A. And I was -- right. On the third</p> <p>23 floor by the elevators.</p> <p>24 Q. So it wasn't in the elevator now</p> <p>25 you are saying it was by the elevator?</p>	<p>1 Guzman</p> <p>2 MR. THOMPSON: Objection.</p> <p>3 THE WITNESS: I am saying it was</p> <p>4 by the elevators, yes, on the third</p> <p>5 floor.</p> <p>6 BY MR. LERNER:</p> <p>7 Q. Okay. Because earlier you</p> <p>8 testified that it was in the elevator.</p> <p>9 A. It was outside the elevators on</p> <p>10 the third floor.</p> <p>11 Q. So five minutes ago when you said</p> <p>12 it was in the elevator you were wrong?</p> <p>13 A. I am clarifying exactly where this</p> <p>14 man Les Goodstein approached me and sexually</p> <p>15 harassed me.</p> <p>16 Q. Well, I appreciate the</p> <p>17 clarification.</p> <p>18 A. Thank you.</p> <p>19 Q. But it doesn't appear to be a</p> <p>20 clarification. It appears to be a change.</p> <p>21 MR. THOMPSON: Objection. Is that</p> <p>22 a question?</p> <p>23 BY MR. LERNER:</p> <p>24 Q. Is that correct?</p> <p>25 MR. THOMPSON: Objection.</p>
Page 390	Page 391
<p>1 Guzman</p> <p>2 THE WITNESS: You asked me a</p> <p>3 question and I am answering it. I am</p> <p>4 clarifying the exact place where this</p> <p>5 exchange took place. The third floor by</p> <p>6 the elevator banks.</p> <p>7 BY MR. LERNER:</p> <p>8 Q. You testified before the last time</p> <p>9 we were together that -- you understand it</p> <p>10 is important to be precise and clear with</p> <p>11 your words, right?</p> <p>12 A. I understand.</p> <p>13 Q. And was anybody else present</p> <p>14 within earshot when Mr. Goodstein told you</p> <p>15 that your dress looked sexy and beautiful?</p> <p>16 A. Not that I can recall.</p> <p>17 Q. Did the two of you then walk</p> <p>18 together to the third floor conference room?</p> <p>19 A. Yes.</p> <p>20 Q. And is there anything else he said</p> <p>21 on that occasion about you or your</p> <p>22 appearance that you can recall?</p> <p>23 A. No.</p> <p>24 Q. And is there anything else about</p> <p>25 his -- did he -- is there anything else that</p>	<p>1 Guzman</p> <p>2 he did on that occasion that caused you to</p> <p>3 feel -- that you believe was inappropriate?</p> <p>4 A. Yes.</p> <p>5 Q. On that particular occasion?</p> <p>6 A. Yes. Every time I saw</p> <p>7 Mr. Goodstein.</p> <p>8 Q. No. Ms. Guzman, I am asking</p> <p>9 specifically about the occasion when you</p> <p>10 were outside the elevators on the third</p> <p>11 floor on your second meeting walking to the</p> <p>12 conference room, do you have a recollection</p> <p>13 of anything Mr. Goodstein did on that</p> <p>14 occasion?</p> <p>15 MR. THOMPSON: Mr. Lerner, don't</p> <p>16 raise your voice to the witness.</p> <p>17 THE WITNESS: Is there a reason</p> <p>18 why you are raising my voice. I am --</p> <p>19 BY MR. LERNER:</p> <p>20 Q. I just want to be clear in your</p> <p>21 testimony.</p> <p>22 MR. THOMPSON: I want the record</p> <p>23 to be clear that Mark Lerner is raising</p> <p>24 his voice at Ms. Guzman. She is not a</p> <p>25 child. She is a grown woman. You have</p>

CONTAINS CONFIDENTIAL PORTIONS

Page 392	Page 393
<p>1 Guzman</p> <p>2 to give her respect. If you are not</p> <p>3 going to give her respect we are going</p> <p>4 to stop this deposition. You will not</p> <p>5 raise your voice to this witness.</p> <p>6 MR. LERNER: We will stop the</p> <p>7 deposition if you interfere with it. We</p> <p>8 have a video recorder here so the record</p> <p>9 does not require you to characterize</p> <p>10 what is going on in the room. My --</p> <p>11 MR. THOMPSON: I will state my</p> <p>12 position.</p> <p>13 MR. LERNER: Excuse me, I am not</p> <p>14 done.</p> <p>15 MR. THOMPSON: Any time you raise</p> <p>16 your voice to my client --</p> <p>17 MR. LERNER: I am not finished.</p> <p>18 MR. THOMPSON: That is a fact.</p> <p>19 MR. LERNER: I am not finished.</p> <p>20 MR. THOMPSON: Don't do that. It</p> <p>21 is --</p> <p>22 MR. LERNER: I will conduct the</p> <p>23 deposition in the tone of voice --</p> <p>24 MR. THOMPSON: Properly.</p> <p>25 MR. LERNER: I will conduct the</p>	<p>1 Guzman</p> <p>2 deposition.</p> <p>3 MR. THOMPSON: Not improperly.</p> <p>4 BY MR. LERNER:</p> <p>5 Q. Ms. Guzman, is there anything else</p> <p>6 that you recall specifically on the occasion</p> <p>7 of your second meeting with Mr. Goodstein</p> <p>8 when you were walking from the elevators on</p> <p>9 the third floor to a conference room that he</p> <p>10 did besides telling you your dress or you</p> <p>11 looked sexy and beautiful?</p> <p>12 A. He looked at me in a very</p> <p>13 lascivious way and he looked at me, checked</p> <p>14 me out up and down.</p> <p>15 Q. And how long did that take?</p> <p>16 MR. THOMPSON: Objection.</p> <p>17 THE WITNESS: It felt like an</p> <p>18 eternity.</p> <p>19 I am not going to work to be</p> <p>20 looked at lasciviously by somebody who</p> <p>21 is supervising sales of the section I</p> <p>22 worked for.</p> <p>23 BY MR. LERNER:</p> <p>24 Q. Did you say anything to him about</p> <p>25 it?</p>
Page 394	Page 395
<p>1 Guzman</p> <p>2 A. No.</p> <p>3 Q. What was your response?</p> <p>4 A. Disgusted.</p> <p>5 Q. No. What was your verbal or</p> <p>6 physical response if any?</p> <p>7 A. I just ignored him and I walked to</p> <p>8 the conference room.</p> <p>9 Q. What was lascivious about his</p> <p>10 look?</p> <p>11 A. The way that he looked at me up</p> <p>12 and down as if he is checking someone who is</p> <p>13 naked, a woman is naked.</p> <p>14 Q. And what does that look like?</p> <p>15 A. As a woman?</p> <p>16 Q. No. What did it look like to you?</p> <p>17 A. As a woman -- I am going to</p> <p>18 describe it, sir. As a woman you know it</p> <p>19 when you see it.</p> <p>20 Q. Well, explain for the jury which</p> <p>21 will be composed of potentially men and</p> <p>22 women how that appears or what it actually</p> <p>23 consists of?</p> <p>24 A. So he is slowly taking a look from</p> <p>25 head to toe at my body as if he is observing</p>	<p>1 Guzman</p> <p>2 someone who is naked. A woman is naked.</p> <p>3 Q. But his comment to you was on your</p> <p>4 dress, right?</p> <p>5 A. I was wearing the dress. It is</p> <p>6 how the dress looked on me.</p> <p>7 Q. And he commented on the dress,</p> <p>8 right?</p> <p>9 A. On how the dress looked on me.</p> <p>10 Q. Did he make a comment about your</p> <p>11 body?</p> <p>12 A. You look beautiful and sexy in</p> <p>13 that dress.</p> <p>14 Q. And when you walked from the</p> <p>15 elevator area to the conference room was</p> <p>16 there anything that occurred during that</p> <p>17 walk that you considered objectionable or</p> <p>18 lascivious that you can recall?</p> <p>19 A. No. But I remember that I walked</p> <p>20 in back of him so that he would not look at</p> <p>21 me as he walked, I walked behind him. I</p> <p>22 remember that. I purposefully slowed down</p> <p>23 my steps so that he can be in front of me.</p> <p>24 Q. Is there anything else that you</p> <p>25 recall about your encounter with</p>

CONTAINS CONFIDENTIAL PORTIONS

Page 396	Page 397
<p>1 Guzman</p> <p>2 Mr. Goodstein outside the elevators on the</p> <p>3 third floor on that occasion that is</p> <p>4 relevant to your claim?</p> <p>5 A. I felt harassed and I felt</p> <p>6 disgusted that this happened. That is what</p> <p>7 I recall. I recall feeling this is not</p> <p>8 right. This is wrong. I don't come to work</p> <p>9 to be gawked at.</p> <p>10 Q. When was the next time that you</p> <p>11 experienced anything from Mr. Goodstein that</p> <p>12 you regard as harassing?</p> <p>13 A. Put it this way, I would see</p> <p>14 Mr. Goodstein in the News Corp. cafeteria on</p> <p>15 the third floor. I would see him in the</p> <p>16 elevator banks in the lobby and every time</p> <p>17 I -- during meetings and every time we had</p> <p>18 an encounter Mr. Goodstein had to comment on</p> <p>19 something that I was wearing on how I looked</p> <p>20 in my shoes or in my dress.</p> <p>21 Q. I am asking you when specifically</p> <p>22 you recall was the next time that</p> <p>23 Mr. Goodstein commented?</p> <p>24 A. So I met with him on his fourth</p> <p>25 floor office.</p>	<p>1 Guzman</p> <p>2 Q. Okay. You testified last time we</p> <p>3 were in a deposition together that</p> <p>4 Ms. Marerro was in those meetings with you</p> <p>5 and Mr. Goodstein?</p> <p>6 A. Most of the time, yes, Ms. Marerro</p> <p>7 was present.</p> <p>8 Q. You testified that she was always</p> <p>9 with you in those meetings and that</p> <p>10 sometimes Mr. Martinez was with you?</p> <p>11 A. Well, Ms. Marerro stopped working</p> <p>12 for The New York Post so the times -- there</p> <p>13 were times that I met with Ms. Goodstein</p> <p>14 that Ms. Marerro was not present or</p> <p>15 Mr. Martinez because they both stopped --</p> <p>16 they were both laid off.</p> <p>17 Q. And how many times did that occur?</p> <p>18 MR. THOMPSON: Objection.</p> <p>19 THE WITNESS: How many times? I</p> <p>20 am sorry.</p> <p>21 BY MR. LERNER:</p> <p>22 Q. How many times did you meet with</p> <p>23 Mr. Goods without the presence of</p> <p>24 Ms. Marerro?</p> <p>25 A. On numerous occasions.</p>
Page 398	Page 399
<p>1 Guzman</p> <p>2 Q. How many?</p> <p>3 A. I can't give you a number but</p> <p>4 numerous occasions.</p> <p>5 Q. Where?</p> <p>6 A. Mostly his fourth floor office.</p> <p>7 Fourth or fifth floor office. Maybe fifth</p> <p>8 floor, yes, where News America marketing is</p> <p>9 located.</p> <p>10 Q. Again, I would like to know when</p> <p>11 the second time you felt harassed by</p> <p>12 Mr. Goodstein was with specific</p> <p>13 recollections if you have them. If you</p> <p>14 don't have them answer I don't remember.</p> <p>15 A. I don't remember the second time</p> <p>16 but I remember the numerous occasions when</p> <p>17 we would randomly bump into each other in</p> <p>18 meetings and I remember there was one</p> <p>19 meeting where as soon as I walked in he</p> <p>20 chose to comment on the shoes again that I</p> <p>21 was wearing.</p> <p>22 Q. Did you ask him not to comment on</p> <p>23 your shoes?</p> <p>24 A. No.</p> <p>25 Q. Is that the occasion when you</p>	<p>1 Guzman</p> <p>2 said, when you offered to let him borrow</p> <p>3 them as a joke?</p> <p>4 A. Yes.</p> <p>5 Q. Why was the comment on your shoes</p> <p>6 offensive?</p> <p>7 A. I think if I were a white male he</p> <p>8 would not be commenting on the way I</p> <p>9 dressed.</p> <p>10 I think that he meant to objectify</p> <p>11 me as a sexual object and I found that</p> <p>12 offensive.</p> <p>13 Q. Anything else?</p> <p>14 A. I found his conduct inappropriate,</p> <p>15 Mark.</p> <p>16 Q. Is there anything else about his</p> <p>17 commenting on your shoes -- what was</p> <p>18 specifically did he say about your shoes?</p> <p>19 A. Sexy shoes.</p> <p>20 Q. Were they sexy shoes?</p> <p>21 MR. THOMPSON: Wait. She wasn't</p> <p>22 finished.</p> <p>23 THE WITNESS: Sexy shoes. He</p> <p>24 wouldn't even refer to me by my first</p> <p>25 name or by my last name.</p>



CONTAINS CONFIDENTIAL PORTIONS

Page 400	Page 401
<p>1 Guzman</p> <p>2 BY MR. LERNER:</p> <p>3 Q. Were they sexy shoes?</p> <p>4 A. No.</p> <p>5 Q. Describe the shoes?</p> <p>6 A. Black shoes, black pumps.</p> <p>7 Q. Back pumps. Pumps means high</p> <p>8 heels?</p> <p>9 A. Black high heels, yes.</p> <p>10 Q. It is your testimony that those</p> <p>11 are not sexy shoes?</p> <p>12 A. No. They are black.</p> <p>13 Q. They are black pumps?</p> <p>14 A. High heels, yes.</p> <p>15 Q. What did you like about those</p> <p>16 shoes?</p> <p>17 A. They were comfortable.</p> <p>18 Q. Did you like the fact that they</p> <p>19 were high heels?</p> <p>20 MR. THOMPSON: Objection.</p> <p>21 THE WITNESS: I liked them.</p> <p>22 BY MR. LERNER:</p> <p>23 Q. Did anyone else ever comment on</p> <p>24 those shoes?</p> <p>25 A. Not that I can recall right now.</p>	<p>1 Guzman</p> <p>2 Q. Do you still own those shoes?</p> <p>3 A. Yes.</p> <p>4 Q. Who were they manufactured by?</p> <p>5 MR. THOMPSON: Objection.</p> <p>6 THE WITNESS: YSL.</p> <p>7 BY MR. LERNER:</p> <p>8 Q. If you recall any other specific</p> <p>9 occasions during which Mr. Goodstein made</p> <p>10 what you regard as harassing comments about</p> <p>11 your appearance can you please describe them</p> <p>12 specifically now?</p> <p>13 A. So there was another occasion when</p> <p>14 again we were meeting in his office and as I</p> <p>15 was walking in instead of greeting me with</p> <p>16 my name he called me Cha-Cha.</p> <p>17 Q. Okay. We discussed this incident</p> <p>18 the last time you were deposed, correct?</p> <p>19 A. Yes.</p> <p>20 Q. And he stopped doing that when you</p> <p>21 let him know you didn't appreciate it,</p> <p>22 correct?</p> <p>23 A. Yes.</p> <p>24 Q. And how did you let him know that?</p> <p>25 A. Don't call me that.</p>
Page 402	Page 403
<p>1 Guzman</p> <p>2 Q. How did he respond when you said</p> <p>3 don't call me that?</p> <p>4 A. He was confused.</p> <p>5 Q. But he stopped calling you that,</p> <p>6 correct?</p> <p>7 A. Yes.</p> <p>8 Q. And with respect to him calling</p> <p>9 you sexy and beautiful you never said don't</p> <p>10 call me sexy and beautiful, correct?</p> <p>11 A. No.</p> <p>12 Q. No, you did not say that?</p> <p>13 A. No. I did not. I would ignore</p> <p>14 him.</p> <p>15 Q. Mr. Goodstein's office was on the</p> <p>16 fifth floor of the building at 1211 Avenue</p> <p>17 of the Americas, right?</p> <p>18 A. Yes.</p> <p>19 Q. What was offensive about the term</p> <p>20 Cha-Cha to you?</p> <p>21 A. First of all, I have a name.</p> <p>22 Second of all, there is a</p> <p>23 stereotype that all Latin women are, you</p> <p>24 know, hot and dancers and Cha-Cha is</p> <p>25 referring to a dance move on a dance floor.</p>	<p>1 Guzman</p> <p>2 Why couldn't he call me by my</p> <p>3 name?</p> <p>4 Q. Did you ever write about somebody</p> <p>5 who Tempo referred to in a headline as</p> <p>6 Cha-Cha Willie?</p> <p>7 A. Are you looking at something that</p> <p>8 maybe I should review?</p> <p>9 Q. I am looking at an -- a page from</p> <p>10 Tempo from 2007 with a headline Cha-Cha</p> <p>11 Willie, is that a headline that I approved</p> <p>12 for Tempo?</p> <p>13 A. Can I see it?</p> <p>14 Q. No.</p> <p>15 A. I can't?</p> <p>16 Q. There is a question pending. Did</p> <p>17 you approve a headline Cha-Cha Willie for</p> <p>18 Tempo regarding someone named Willie Perry?</p> <p>19 A. Can you read some more so that I</p> <p>20 can -- can you refresh my memory?</p> <p>21 Q. Have you ever heard of Willie</p> <p>22 Perry?</p> <p>23 A. I can't recall right now.</p> <p>24 Q. Do you know who Willie Perry is?</p> <p>25 A. I have interviewed and I have</p>



CONTAINS CONFIDENTIAL PORTIONS

Page 404	Page 405
<p>1 Guzman</p> <p>2 edited hundreds and hundreds and hundreds of</p> <p>3 pages throughout my career.</p> <p>4 Q. Did you review all of the pages of</p> <p>5 Tempo before it was published?</p> <p>6 A. Yes.</p> <p>7 Q. Each month?</p> <p>8 A. Yes.</p> <p>9 Q. So a headline in Tempo would be</p> <p>10 reviewed by you before it would be</p> <p>11 published, right?</p> <p>12 A. Yes, yes.</p> <p>13 Q. So if a headline ran Cha-Cha</p> <p>14 Willie then you reviewed it before it ran?</p> <p>15 A. Yes. And actually that is not</p> <p>16 Tempo. That is the Black History Month</p> <p>17 section.</p> <p>18 Q. Is it a section that you edited?</p> <p>19 A. Yes.</p> <p>20 Q. So same question. If it is a</p> <p>21 section you edited did you review the</p> <p>22 mockups before they were printed?</p> <p>23 A. Yes.</p> <p>24 Q. And approved the headlines?</p> <p>25 A. Yes.</p>	<p>1 Guzman</p> <p>2 MR. LERNER: Let's mark it.</p> <p>3 (Page from the Harlem Week section</p> <p>4 was marked Guzman Exhibit 32 for</p> <p>5 identification)</p> <p>6 BY MR. LERNER:</p> <p>7 Q. Is Exhibit 32 a page from Harlem</p> <p>8 Week section that you edited?</p> <p>9 A. Yes.</p> <p>10 Q. And you approved the headline,</p> <p>11 Cha-Cha Willie?</p> <p>12 A. Yes.</p> <p>13 Q. Did you write that headline?</p> <p>14 A. That is his name. No. My copy</p> <p>15 editor did.</p> <p>16 Q. His name is Cha-Cha Willie?</p> <p>17 A. That is his nickname.</p> <p>18 Q. Did you interview him?</p> <p>19 A. No.</p> <p>20 Q. Do you know who did?</p> <p>21 A. Georgette Roberts.</p> <p>22 Q. Georgette Roberts is a reporter at</p> <p>23 The Post?</p> <p>24 A. Part time. She is a freelancer.</p> <p>25 Q. She is an African American</p>
Page 406	Page 407
<p>1 Guzman</p> <p>2 employee of The Post?</p> <p>3 A. Yes.</p> <p>4 Q. Do you regard this story or the</p> <p>5 headline as offensive?</p> <p>6 A. No.</p> <p>7 Q. Were you ever on the fifth floor</p> <p>8 of the New York -- withdrawn.</p> <p>9 Were you ever on the fifth floor</p> <p>10 of 1211 Avenue of the Americas for a reason</p> <p>11 other than meeting with Mr. Goodstein?</p> <p>12 A. Yes.</p> <p>13 Q. How many times other than for a</p> <p>14 meeting with Mr. Goodstein?</p> <p>15 A. Several times.</p> <p>16 Q. How many is "several"?</p> <p>17 A. About a dozen times.</p> <p>18 Q. Do you have a specific</p> <p>19 recollection of being on the floor?</p> <p>20 A. Yes.</p> <p>21 Q. For what reasons?</p> <p>22 A. I was asked to help edit and think</p> <p>23 about the content for a series of community</p> <p>24 newspapers that News Corp. purchased,</p> <p>25 Brooklyn and Queens Courier, there were</p>	<p>1 Guzman</p> <p>2 dozens of newspapers that Rupert Murdoch</p> <p>3 purchased and I was asked to think about</p> <p>4 content for them.</p> <p>5 I was being considered as -- we</p> <p>6 were exploring the potential of starting a</p> <p>7 Queens section and the person in charge of</p> <p>8 the community papers was Mr. Goodstein and</p> <p>9 his deputy, I can't recall her name, Kylie</p> <p>10 or something, I can't recall her name, his</p> <p>11 deputy was charged with supervising these</p> <p>12 papers and so we would meet on the fifth</p> <p>13 floor to talk about content. And stories</p> <p>14 and how we could, what was the word we used,</p> <p>15 just cross-pollinate the content that I was</p> <p>16 creating for The Post and vice versa.</p> <p>17 Q. Mr. Goodstein was not in these</p> <p>18 meetings, correct?</p> <p>19 A. On some of them he was not.</p> <p>20 Q. You never testified before that</p> <p>21 Mr. Goodstein was in meetings with you about</p> <p>22 the community newspapers.</p> <p>23 A. You didn't ask me.</p> <p>24 Q. Do you have a recollection of</p> <p>25 that?</p>

CONTAINS CONFIDENTIAL PORTIONS

Page 408	Page 409
<p>1 Guzman</p> <p>2 A. Yes.</p> <p>3 Q. When you bumped into him in the</p> <p>4 cafeteria or in the elevators or in the</p> <p>5 hallways how long did these meetings or</p> <p>6 encounters last?</p> <p>7 A. Anywhere -- I don't know.</p> <p>8 Anywhere from hello, how are you, five</p> <p>9 minutes, they seemed longer because they</p> <p>10 were always really uncomfortable.</p> <p>11 Q. And these were in -- these</p> <p>12 encounters were in public areas in the</p> <p>13 building, right?</p> <p>14 A. Yes, sir.</p> <p>15 Q. And you were free to walk away or</p> <p>16 keep going where you were going during these</p> <p>17 meetings, right?</p> <p>18 A. I am not really sure what you are</p> <p>19 asking me.</p> <p>20 Q. Well, if you stood around to talk</p> <p>21 to Mr. Goodstein for any length of time that</p> <p>22 was of your own free will, correct?</p> <p>23 A. Well, he was supervising the sales</p> <p>24 of sections that I was working on.</p> <p>25 Q. He wasn't your supervisor,</p>	<p>1 Guzman</p> <p>2 correct?</p> <p>3 A. He was not my supervisor but he</p> <p>4 was supervising the sales so we worked in</p> <p>5 the -- with the same projects, we worked on</p> <p>6 the same projects. So he wasn't a total</p> <p>7 stranger to me, I would greet him and that</p> <p>8 is when he took the opportunity to say</p> <p>9 inappropriate comments.</p> <p>10 Q. Specifically the inappropriate</p> <p>11 comments were sexy and beautiful?</p> <p>12 A. Mark, he would always comment on</p> <p>13 my appearance. He would always comment on</p> <p>14 the dresses that I wore or the shoes that I</p> <p>15 wore and he would always gawk.</p> <p>16 Q. And the comments were to use the</p> <p>17 terms either sexy or beautiful?</p> <p>18 MR. THOMPSON: Objection.</p> <p>19 BY MR. LERNER:</p> <p>20 Q. Correct?</p> <p>21 A. Yes.</p> <p>22 Q. Were these being -- these meetings</p> <p>23 where you would be standing up during the</p> <p>24 meeting speaking to him?</p> <p>25 MR. THOMPSON: Objection.</p>
Page 410	Page 411
<p>1 Guzman</p> <p>2 THE WITNESS: The meetings by the</p> <p>3 elevator banks, the random meetings --</p> <p>4 BY MR. LERNER:</p> <p>5 Q. Correct.</p> <p>6 A. -- in the News Corp. cafeteria?</p> <p>7 Q. Yes.</p> <p>8 A. I would be usually going</p> <p>9 somewhere.</p> <p>10 The meetings in his office, I</p> <p>11 would be sitting down.</p> <p>12 Q. There came a time in 2007 when he</p> <p>13 stopped being involved in Tempo, right?</p> <p>14 A. Yes.</p> <p>15 Q. How many of these encounters with</p> <p>16 Mr. Goodstein on the premises of the 1211</p> <p>17 Avenue of the Americas occurred after he</p> <p>18 stopped being involved in Tempo?</p> <p>19 A. I also told you that we continued</p> <p>20 to meet after because of his involvement</p> <p>21 with the Brooklyn and community papers,</p> <p>22 okay.</p> <p>23 Q. How many times did you meet with</p> <p>24 Mr. Goodstein on the Brooklyn and community</p> <p>25 papers after he was no longer involved with</p>	<p>1 Guzman</p> <p>2 Tempo?</p> <p>3 A. Numerous times.</p> <p>4 Q. How many?</p> <p>5 A. I would say two dozen times.</p> <p>6 Maybe more.</p> <p>7 Q. Where were those meetings?</p> <p>8 A. His office, at News Corp. office</p> <p>9 on the fifth floor, News America offices.</p> <p>10 Q. And who was in those meetings, you</p> <p>11 and his deputy?</p> <p>12 A. Yes. Sometimes there were two</p> <p>13 deputies and sometimes one deputy.</p> <p>14 Q. And who were the names -- what</p> <p>15 were the names of the two deputies?</p> <p>16 A. I cannot recall the names.</p> <p>17 Q. Were they male or female?</p> <p>18 A. One of them was a female and her</p> <p>19 name starts with a K, K something. And I</p> <p>20 believe that she went on maternity leave and</p> <p>21 then another staffer took over her</p> <p>22 responsibilities but I can't recall his</p> <p>23 name.</p> <p>24 Q. Did the two deputies ever say</p> <p>25 anything to you that you considered</p>

CONTAINS CONFIDENTIAL PORTIONS

Page 412	Page 413
<p>1 Guzman</p> <p>2 harassing or abusive?</p> <p>3 A. No, sir.</p> <p>4 Q. And did you ever say anything to</p> <p>5 them about Mr. Goodstein's conduct?</p> <p>6 A. No, sir.</p> <p>7 Q. Were they ever present during</p> <p>8 Mr. Goodstein engaging in conduct that you</p> <p>9 considered offensive?</p> <p>10 A. No.</p> <p>11 Q. Did you ever tell them about it?</p> <p>12 A. The two deputies?</p> <p>13 Q. Yes.</p> <p>14 A. About Mr. Goodstein's --</p> <p>15 Q. Yes.</p> <p>16 A. -- inappropriate behavior? No.</p> <p>17 I told other people. I complained</p> <p>18 to other people.</p> <p>19 Q. My question was did you tell them</p> <p>20 about it.</p> <p>21 A. Okay.</p> <p>22 Q. During what period of time did you</p> <p>23 have meetings with Mr. Goodstein about the</p> <p>24 community newspapers?</p> <p>25 MR. THOMPSON: Objection.</p>	<p>1 Guzman</p> <p>2 THE WITNESS: During what period</p> <p>3 of time? When the newspapers were first</p> <p>4 initially purchased, there were a lot of</p> <p>5 discussion about what to do with them,</p> <p>6 how to integrate them into The New York</p> <p>7 Post properties. There were News Corp.</p> <p>8 properties and so we were trying to</p> <p>9 figure out what their role was going to</p> <p>10 be.</p> <p>11 BY MR. LERNER:</p> <p>12 Q. Did Mr. Goodstein ever trap you in</p> <p>13 a room?</p> <p>14 A. Trap me in a room?</p> <p>15 Q. Yes.</p> <p>16 A. No.</p> <p>17 Q. Did he ever -- did he ever touch</p> <p>18 you?</p> <p>19 MR. THOMPSON: Objection.</p> <p>20 BY MR. LERNER:</p> <p>21 Q. In an offensive way?</p> <p>22 A. No.</p> <p>23 Q. Did he ever ask you out on a date?</p> <p>24 A. No.</p> <p>25 Q. Did he ever mention sex acts with</p>
Page 414	Page 415
<p>1 Guzman</p> <p>2 you?</p> <p>3 A. No.</p> <p>4 Q. Did he ever comment specifically</p> <p>5 by using the word breasts?</p> <p>6 A. No.</p> <p>7 Q. Did he ever use the word ass with</p> <p>8 you to comment about your body?</p> <p>9 A. No.</p> <p>10 Q. Did he ever refer to your legs</p> <p>11 specifically?</p> <p>12 A. I don't recall. He may have.</p> <p>13 Q. You don't recall, right?</p> <p>14 A. I don't recall specifically.</p> <p>15 Q. Okay. Were there times that you</p> <p>16 were with Mr. Goodstein that he spoke to you</p> <p>17 in a professional way discussing the</p> <p>18 business you were doing?</p> <p>19 A. Yes.</p> <p>20 Q. Did he look you in the eye when he</p> <p>21 spoke to you?</p> <p>22 A. No.</p> <p>23 Q. Never?</p> <p>24 A. Very few times. That was part of</p> <p>25 the problem. He was always looking at my</p>	<p>1 Guzman</p> <p>2 body, at my breasts, at my legs, at my</p> <p>3 shoes. That was the inappropriate behavior</p> <p>4 I was trying to describe.</p> <p>5 Q. Did you ever ask him to make more</p> <p>6 eye contact with you?</p> <p>7 A. No.</p> <p>8 Q. Did you ever tape record any</p> <p>9 meetings with Mr. Goodstein?</p> <p>10 A. No.</p> <p>11 Q. Did you ever write down notes</p> <p>12 about Mr. Goodstein after your meetings?</p> <p>13 A. I don't remember if I wrote down</p> <p>14 notes about his behavior.</p> <p>15 Q. And you never told him that you</p> <p>16 didn't like the way he was looking at you,</p> <p>17 correct?</p> <p>18 A. No, Mark.</p> <p>19 Q. Did he ever prevent you from</p> <p>20 publishing Tempo? That sounds like an odd</p> <p>21 question but --</p> <p>22 A. Yes, it is. I don't understand</p> <p>23 what you are trying to ask me.</p> <p>24 Q. He never stood in the way of</p> <p>25 getting Tempo out, right?</p>

CONTAINS CONFIDENTIAL PORTIONS

Page 416	Page 417
<p>1 Guzman</p> <p>2 A. I don't know.</p> <p>3 Q. He was -- your understanding is he</p> <p>4 facilitated Tempo, right?</p> <p>5 A. My understanding is that he was a</p> <p>6 fan of the work that Tempo and my team were</p> <p>7 doing.</p> <p>8 Q. You don't have any reason to doubt</p> <p>9 that, correct?</p> <p>10 A. No.</p> <p>11 Q. So during the time you were</p> <p>12 working with Mr. Goodstein you continued to</p> <p>13 focus your efforts on getting Tempo out,</p> <p>14 getting any other sections you were working</p> <p>15 on out and doing a good job, correct?</p> <p>16 A. Can you repeat the question?</p> <p>17 Q. Sure.</p> <p>18 During the time you were working</p> <p>19 with Mr. Goodstein you continued to focus</p> <p>20 your efforts on getting Tempo out, getting</p> <p>21 any other sections you were working out and</p> <p>22 doing a good job, correct?</p> <p>23 A. Yes.</p> <p>24 Q. And you did a good job, right?</p> <p>25 A. Yes.</p>	<p>1 Guzman</p> <p>2 Q. And did you think that your</p> <p>3 performance was good during this time</p> <p>4 period?</p> <p>5 A. Notwithstanding the conditions</p> <p>6 that I had to work under, yes.</p> <p>7 Q. You produced the section that you</p> <p>8 wanted to produce, right?</p> <p>9 A. To the best of my ability. I</p> <p>10 ignored all the other harassment that I was</p> <p>11 experiencing.</p> <p>12 Q. And you were able to do your job,</p> <p>13 right?</p> <p>14 A. I did my job to the best of my</p> <p>15 ability.</p> <p>16 Q. You were able to do your job well,</p> <p>17 right?</p> <p>18 A. Yes.</p> <p>19 Q. You produced an excellent section,</p> <p>20 right?</p> <p>21 A. Yes. But that didn't mean that I</p> <p>22 was not affected by his lewd behavior.</p> <p>23 Q. My question is your work did not</p> <p>24 suffer for it, right?</p> <p>25 A. No.</p>
Page 418	Page 419
<p>1 Guzman</p> <p>2 Q. No, it did not suffer for it,</p> <p>3 right?</p> <p>4 MR. THOMPSON: Objection. She</p> <p>5 just answered that question.</p> <p>6 THE WITNESS: No.</p> <p>7 BY MR. LERNER:</p> <p>8 Q. You have actually described</p> <p>9 yourself as sexy and beautiful, have you</p> <p>10 not?</p> <p>11 A. I may have.</p> <p>12 Q. Do you recall writing a list of</p> <p>13 words to describe yourself and including</p> <p>14 sexy and beautiful on that list?</p> <p>15 A. No.</p> <p>16 Q. Who is Sol, S-O-L?</p> <p>17 A. Sol is a friend of mine.</p> <p>18 Q. Do you remember writing a list of</p> <p>19 words to describe Sol and writing a list of</p> <p>20 words to describe yourself and comparing the</p> <p>21 two?</p> <p>22 A. No.</p> <p>23 Q. I am going to show you a document,</p> <p>24 showing you a document marked Guzman Exhibit</p> <p>25 33.</p>	<p>1 Guzman</p> <p>2 (Handwritten list was marked</p> <p>3 Guzman Exhibit 33 for identification)</p> <p>4 BY MR. LERNER:</p> <p>5 Q. Ms. Guzman, is this a piece of</p> <p>6 paper where you wrote down lists of</p> <p>7 adjectives to describe Sol and yourself?</p> <p>8 A. Yes.</p> <p>9 Q. Sol is the column on the left and</p> <p>10 you are the column on the right?</p> <p>11 A. Yes.</p> <p>12 Q. And who -- is Sol somebody you</p> <p>13 were involved with?</p> <p>14 A. Involved with?</p> <p>15 Q. Yes.</p> <p>16 A. How do you mean?</p> <p>17 Q. Were you ever romantically</p> <p>18 involved with Sol?</p> <p>19 A. No.</p> <p>20 Q. What is Sol's last name?</p> <p>21 A. Rivera.</p> <p>22 Q. Were you involved in any business</p> <p>23 dealings with Sol?</p> <p>24 A. Yes.</p> <p>25 Q. What were those dealings?</p>

CONTAINS CONFIDENTIAL PORTIONS

Page 472	Page 473
<p>1 Guzman</p> <p>2 disgusting.</p> <p>3 Q. And you stuck around to listen to</p> <p>4 the story, right?</p> <p>5 A. I stuck around to hang out with my</p> <p>6 girlfriends.</p> <p>7 Q. Nobody was chaining you to the bar</p> <p>8 stool, right?</p> <p>9 A. No.</p> <p>10 Q. You could have walked away?</p> <p>11 A. Yes.</p> <p>12 Q. Right?</p> <p>13 You wrote in the same paragraph</p> <p>14 that, "Col Allan only befriends ugly female</p> <p>15 editors, the she-males."</p> <p>16 Who were you referring to?</p> <p>17 MR. THOMPSON: What paragraph are</p> <p>18 you referring to?</p> <p>19 MR. LERNER: Same paragraph we</p> <p>20 have been on, five lines from the</p> <p>21 bottom.</p> <p>22 MR. THOMPSON: I see.</p> <p>23 THE WITNESS: A former features</p> <p>24 editor.</p> <p>25</p>	<p>1 Guzman</p> <p>2 BY THE VIDEOGRAPHER:</p> <p>3 Q. Who is that?</p> <p>4 A. Fay Penn.</p> <p>5 Q. Well, you actually wrote plural,</p> <p>6 "He only befriends ugly female editors,</p> <p>7 she-males."</p> <p>8 A. That is what I was thinking.</p> <p>9 Q. Is "she-males" a term that you use</p> <p>10 for women you regard as ugly?</p> <p>11 A. No.</p> <p>12 Q. Did you regard Fay Penn as ugly?</p> <p>13 A. Her attitude more than physically.</p> <p>14 I was referring to her energy, to her</p> <p>15 energy, not to her physical appearance.</p> <p>16 Q. Well, you wrote that "Col Allan</p> <p>17 doesn't know how to handle himself around</p> <p>18 pretty women, he only befriends ugly female</p> <p>19 editors." You are talking about physical</p> <p>20 appearance, correct?</p> <p>21 A. When I was thinking about this</p> <p>22 particular editor, I was thinking more about</p> <p>23 her energy.</p> <p>24 Q. What is a she-male?</p> <p>25 A. It is very strong, muscular,</p>
Page 474	Page 475
<p>1 Guzman</p> <p>2 androgenous-looking female.</p> <p>3 Q. Is there anybody else at The Post</p> <p>4 that you regard as an ugly female editor who</p> <p>5 Col Allan befriends?</p> <p>6 A. Who has ugly female energy, male</p> <p>7 ugly she-male female energy. No. I can't</p> <p>8 think of anybody else at this time.</p> <p>9 Q. Isn't a she-male a man who</p> <p>10 surgically altered to have breasts?</p> <p>11 A. No. Not as I understand it.</p> <p>12 Q. And, so you listened to the story</p> <p>13 about Dunleavy having sex in the closet,</p> <p>14 right, correct?</p> <p>15 A. Correct.</p> <p>16 Q. And you did not walk away,</p> <p>17 correct?</p> <p>18 A. Correct.</p> <p>19 Q. And then Col Allan displays a</p> <p>20 photograph on his BlackBerry of a naked man,</p> <p>21 correct?</p> <p>22 A. So after several stories about</p> <p>23 Dunleavy's sexual exploits Col Allan digs</p> <p>24 into his pocket, pulls out his BlackBerry</p> <p>25 and hands it to me and he says, "Look," and</p>	<p>1 Guzman</p> <p>2 he smirks and he says, "Look at this," and</p> <p>3 it is a picture of a naked man with his</p> <p>4 genitalia exposed.</p> <p>5 Q. And so Mr. Allan had told several</p> <p>6 stories about Dunleavy at this point?</p> <p>7 A. At this point he had told several</p> <p>8 sexual stories.</p> <p>9 Q. What were the other stories about</p> <p>10 Dunleavy besides the one about the closet?</p> <p>11 A. There was one where Dunleavy slept</p> <p>12 over his house. He had given him keys to</p> <p>13 his apartment and Dunleavy came in the</p> <p>14 middle of the night and when Mr. Allan went</p> <p>15 to the restroom or he heard noise he walked</p> <p>16 into Dunleavy trying to pee in a closet or</p> <p>17 something, something to that effect so he</p> <p>18 may have seen Dunleavy's penis.</p> <p>19 Q. Do you remember any other stories?</p> <p>20 A. And then there was a story,</p> <p>21 something about Dunleavy once -- Dunleavy</p> <p>22 has such a voracious sexual appetite that he</p> <p>23 would probably, to use Mr. Allan's word,</p> <p>24 fuck a woman without limbs or something to</p> <p>25 that effect so there were more. Those were</p>